UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/47/L.65
16 September 1993
ENGLISH
ORIGINAL: ARABIC/CHINESE/
ENGLISH/FRENCH/
RUSSIAN/SPANISH

Forty-seventh session
Agenda item 10

REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE ORGANIZATION

Draft resolution submitted by the President

An Agenda for Peace

The General Assembly,

Recalling its resolution 47/120 of 18 December 1992 entitled "An Agenda for Peace: preventive diplomacy and related matters",

Reaffirming its resolution 46/59 of 9 December 1991 on the Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security,

Recalling its resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations,

Recalling also its resolution 47/71 of 14 December 1992 on the comprehensive review of the whole question of peace-keeping operations in all their aspects,

Emphasizing that, together with the Security Council and the Secretary-General, it has an important role in preventive diplomacy,

Recognizing that it has to work in close cooperation and coordination with the Security Council and the Secretary-General in accordance with the Charter of the United Nations and consistent with their respective mandates and responsibilities,

I

ROLE OF THE GENERAL ASSEMBLY

Recalling the relevant provisions of the Charter of the United Nations relating to the functions and powers of the General Assembly,

Recalling also the report of the Secretary-General entitled "An Agenda for Peace", 1/ which refers to the utilization of these functions and powers,

1. Resolves to make full and effective use of the functions and powers set out in Articles 10 and 14 of the Charter of the United Nations, in conformity with other relevant provisions of the Charter;

2. Decides to consider the use of existing or new machinery, including subsidiary organs under Article 22 of the Charter, to facilitate consideration of any situation coming within the scope of Article 14 of the Charter, with a view to recommending measures for the peaceful adjustment of such a situation;

3. Also decides to consider appropriate ways and means consistent with the Charter to improve cooperation among the competent United Nations organs in order to strengthen the role of the United Nations in the promotion of peace, including the possibility that the General Assembly receives reports, as appropriate, from the Secretary-General on matters related to the items on the agenda of the General Assembly or on other matters within its competence;

II

PREVENTIVE DEPLOYMENT AND DEMILITARIZED ZONES

Taking note of paragraphs 28 to 33 on preventive deployment and demilitarized zones in the report of the Secretary-General entitled "An Agenda for Peace", 1/ within the larger context of preventive diplomacy, as well as the views expressed on these issues by Member States,

Stressing that the implementation of any concepts and proposals on preventive deployment and demilitarized zones contained in "An Agenda for Peace" should be undertaken in accordance with the provisions of the Charter of the United Nations, in particular its purposes and principles, and other relevant principles of international law,

Welcoming the instances of effective use of United Nations preventive deployment and the establishment of demilitarized zones,

Stressing the importance of appropriate consultations with Member States and transparency in any decision-making concerning the undertaking of preventive deployment, or the establishment of a demilitarized zone,

Recognizing that a United Nations preventive deployment, or the establishment of demilitarized zones, could promote the prevention or

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1/ A/47/277-S/24111.

containment of conflicts, the continuance of which is likely to endanger the maintenance of international peace and security,

Emphasizing that respect for the principles of sovereignty, territorial integrity and political independence of States, and non-intervention in matters which are essentially within the domestic jurisdiction of any State is crucial to any common endeavour to promote international peace and security,

Bearing in mind that as each situation in which preventive deployment may be undertaken, or a demilitarized zone established, has its own special characteristics, it is of the utmost importance to make decisions on such measures on a case-by-case basis with due regard to all relevant factors and circumstances, including consultations with Member States,

Recognizing also the need to preserve the impartiality of the United Nations when engaged in preventive deployment or in the establishment of demilitarized zones,

Recognizing that preventive deployment and the establishment of demilitarized zones are evolving concepts,

1. Acknowledges the importance of considering, on a case-by-case basis, the use of preventive deployment and/or establishment of demilitarized zones as a means to prevent existing or potential disputes from escalating into conflicts and to promote efforts to achieve the peaceful settlement of such disputes, the continuance of which is likely to endanger the maintenance of international peace and security;

2. Reaffirms that a United Nations preventive deployment and/or the establishment of a demilitarized zone should be undertaken with the consent of, and, in principle, on the basis of a request by, the Member State(s) involved, having taken into account the positions of other States concerned and all other relevant factors;

3. Also reaffirms that a United Nations preventive deployment and/or the establishment of a demilitarized zone should be undertaken in accordance with the provisions of the Charter of the United Nations, in particular its purposes and principles and other relevant principles of international law, also taking into account relevant General Assembly and Security Council resolutions;

4. Invites the competent organs of the United Nations, within their respective mandates, to consider implementing preventive deployment and/or the establishment of a demilitarized zone with the objective of preventing conflict and of promoting efforts to achieve the peaceful settlement of disputes, and to continue to examine practical, operational and financial aspects of such preventive deployment and demilitarized zones with a view to increasing their efficacy and effectiveness;

III

USE OF THE INTERNATIONAL COURT OF JUSTICE
IN THE PEACEFUL SETTLEMENT OF DISPUTES

Emphasizing the role of the International Court of Justice under the Charter of the United Nations in the peaceful settlement of disputes,

1. Encourages States to consider making greater use of the International Court of Justice for the peaceful settlement of disputes;

2. Recommends that States consider the possibility of accepting the jurisdiction of the International Court of Justice, including through the dispute settlement clauses of multilateral treaties;

3. Notes that the use of chambers of the International Court of Justice for dealing with particular cases submitted to the Court by the parties is a means of providing increased use of the Court for the peaceful settlement of disputes;

4. Requests States to consider making, if possible on a regular basis, contributions to the Trust Fund of the Secretary-General to assist States in resolving their disputes through the International Court of Justice, and invites the Secretary-General to report periodically both on the financial status and the utilization of the Fund;

5. Recalls that the General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question, and that other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities;

6. Decides to keep under examination all the recommendations of the Secretary-General concerning the International Court of Justice, including those related to the use of the advisory competence of the Court;

IV

SPECIAL ECONOMIC PROBLEMS ARISING FROM THE IMPLEMENTATION OF
PREVENTIVE OR ENFORCEMENT MEASURES

Recalling Article 50 of the Charter of the United Nations, which entitles States that find themselves confronted with special economic problems arising from the carrying out of preventive or enforcement measures taken by the Security Council against any other State to consult the Council with regard to a solution of those problems,

Recalling also the recommendation of the Secretary-General in his report entitled "An Agenda for Peace" that the Security Council devise a set of measures involving the financial institutions and other components of the United Nations system that can be put in place to insulate States from such

difficulties and his view that such measures would be a matter of equity and a means of encouraging States to cooperate with decisions of the Council,

Recalling further the statement made on 30 December 1992 by the President of the Security Council, 2/ in which the Council expressed its determination to consider this matter further and invited the Secretary-General to consult with the heads of international financial institutions, other components of the United Nations system, as well as States Members of the United Nations, and to report to the Security Council as early as possible,

Recalling its resolution 47/120 entitled "An Agenda for Peace: preventive diplomacy and related matters", in which it decided to continue early in 1993 its examination of other recommendations contained in the report of the Secretary-General entitled "An Agenda for Peace", including implementation of the provisions of Article 50 of the Charter, in conformity with the Charter and taking into account the relevant developments and practices in the competent organs of the United Nations,

Stressing the importance of economic and other measures not involving the use of armed forces in maintaining international peace and security, in accordance with Article 41 of the Charter,

Recalling Article 49 of the Charter, which requires the Members of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,

Noting that the implementation of Article 50 of the Charter has been addressed recently in several forums, including the General Assembly and its subsidiary organs and the Security Council,

Recognizing that, in the conditions of economic interdependence that exist today, the implementation of preventive or enforcement measures under Chapter VII of the Charter against any State continues to create special economic problems for certain other States,

Recalling that Member States have engaged previously in consultations with bodies established by the Security Council regarding special economic problems confronted by them as a result of the implementation of preventive or enforcement measures against Iraq and the Federal Republic of Yugoslavia (Serbia and Montenegro),

Concerned that certain States continue to be confronted with adverse economic problems owing to the implementation of preventive and enforcement measures under Chapter VII of the Charter,

Recognizing the need for appropriate means to find solutions to these problems as soon as possible,

1. Decides to continue its examination of ways to implement Article 50 of the Charter of the United Nations, with a view to finding solutions to the

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2/ S/25036.

special economic problems of other Member States when preventive or enforcement measures are decided upon by the Security Council against a State;

2. Invites the Security Council to consider measures within the United Nations system and involving international financial institutions that can be put in place with regard to solutions of the special economic problems of States, arising from the carrying out of the measures imposed by the Council; such measures may include, inter alia, the following:

(a) Strengthening of the consultative process for studying, reporting on, and suggesting solutions to the special economic problems, with a view to minimizing such economic problems through consultations with States adversely affected or, as appropriate, with States likely to be adversely affected as a result of their implementing the preventive or enforcement measures, the Secretary-General, the principal organs of the United Nations, its programmes and agencies and the international financial institutions;

(b) Other measures, in consultation with Member States and, as appropriate, with international financial institutions, such as voluntary funds, to provide assistance to States experiencing special economic problems arising from carrying out the measures imposed by the Security Council, additional credit lines, assistance for the promotion of exports of the affected countries, assistance for technical cooperation projects in such countries and/or assistance for the promotion of investment in the affected countries;

3. Also invites the committees of the Security Council, and other bodies entrusted with the task of monitoring the implementation of preventive and enforcement measures, to take into account, in discharging their mandates, the need to avoid unnecessary adverse consequences for other Member States, without prejudice to the effectiveness of such measures;

4. Requests the Secretary-General to report annually to the General Assembly on the implementation of Article 50 of the Charter;

V

POST-CONFLICT PEACE-BUILDING

Noting that post-conflict peace-building is a new and evolving concept,

Recognizing the need for sustained cooperative efforts by the United Nations to deal with the underlying economic, social, cultural and humanitarian causes and effects of conflicts in order to promote a durable foundation for peace,

Recalling the provisions of Article 55 of the Charter of the United Nations,

Recognizing also that the concept of post-conflict peace-building is aimed at the creation of a new environment to forestall the recurrence of conflicts,

Bearing in mind that each situation in which post-conflict peace-building may be undertaken is unique and therefore should be considered on a case-by-case basis,

Bearing in mind also that post-conflict peace-building should complement efforts at peace-making and peace-keeping in order to consolidate peace and advance a sense of confidence and well-being among people and States,

1. Acknowledges the usefulness of the proposals of the Secretary-General in paragraphs 55 to 59 of his report entitled "An Agenda for Peace", 1/ particularly in relation to the range of activities for post-conflict peace-building;

2. Emphasizes that post-conflict peace-building should be carried out in accordance with the Charter of the United Nations, in particular the principles of sovereign equality and political independence of States, territorial integrity, and non-intervention in matters which are essentially within the domestic jurisdiction of any State;

3. Recalls that each State has the right freely to choose and develop its political, social, economic and cultural systems;

4. Stresses that activities related to post-conflict peace-building should be carried out within a well-defined time-frame;

5. Also stresses that post-conflict peace-building should be undertaken on the basis of agreements ending conflicts or reached after conflicts, or at the request of the Government or Governments concerned;

6. Emphasizes the need for measures to promote peace and cooperation among previously conflicting parties;

7. Stresses the need for coordinated action by relevant components of the United Nations system, including the contributions that the international financial institutions can make in the area of socio-economic development in post-conflict peace-building;

8. Also stresses the importance for post-conflict peace-building of contributions from diverse sources, including components of the United Nations system, the regional organizations, Member States and non-governmental organizations;

9. Requests the Secretary-General to inform the General Assembly of requests relating to post-conflict peace-building by Government or Governments concerned, or emanating from peace agreements ending conflicts or reached after conflicts by parties concerned;

10. Affirms its readiness to support, as appropriate, post-conflict peace-building;

VI

COOPERATION WITH REGIONAL ARRANGEMENTS AND ORGANIZATIONS

Recognizing the importance of the role of regional organizations and arrangements in dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, and the need to enhance, in this respect, cooperation between such organizations and arrangements and the United Nations,

Recalling Chapter VIII of the Charter of the United Nations and its acknowledgement of the role of regional arrangements and agencies in dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations,

Taking into account the experience gained and the favourable results achieved by regional organizations in the peaceful settlement of disputes in different parts of the world,

1. Recognizes that regional organizations, arrangements and agencies can, in their fields of competence and in accordance with the Charter of the United Nations, make important contributions to the maintenance of international peace and security, preventive diplomacy, peacemaking, peace-keeping and post-conflict peace-building;

2. Encourages regional organizations, arrangements and agencies to consider, as appropriate, in their fields of competence, ways and means for promoting closer cooperation and coordination with the United Nations with the objective of contributing to the fulfilment of the purposes and principles of the Charter;

3. Also encourages the Secretary-General to continue his efforts at promoting cooperation between the United Nations and regional organizations, arrangements and agencies, in accordance with the Charter;

VII

SAFETY OF PERSONNEL

Recalling its resolution 47/72 of 14 December 1992 on protection of peace-keeping personnel and all other relevant resolutions,

Bearing in mind the concern expressed by the Secretary-General over the safety of United Nations personnel in his report entitled "An Agenda for Peace", 1/

Noting the relevant resolutions of the Security Council,

Taking note with appreciation of the statement made on 31 March 1993 by the President of the Security Council on the protection of United Nations forces and personnel, 3/

Also taking note with appreciation of the work done by the Special Committee on Peace-keeping Operations on the issue of status and safety of United Nations peace-keeping personnel,

Gravely concerned over the growing number of fatalities and injuries among United Nations peace-keeping and other personnel resulting from deliberate hostile actions in dangerous areas of deployment,

1. Welcomes the report of the Secretary-General on the security of United Nations operations; 4/

2. Decides to consider further steps to enhance the status and safety of United Nations personnel involved in United Nations operations, taking into account the need for concerted action by all relevant bodies of the United Nations in this regard.

3/ S/25493.

4/ A/48/349-S/26358.